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Hon. Philip M. Halpern
United States District Court
Southern District of New York
300 Quarropas Street
White Plains N.Y. 10601

Gedalia M. Stern

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97-7400

Application granted. Sentencing is adjourned to 9/14/2023 at 4:00 p.m. Defendant's sentencing submission is due 8/24/2023 and the Government's submission is due 8/31/2023.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
May 15, 2023

Re: *Unites States v. Elizier Scher*, 22-cr-320

Dear Justice Halpern:

We respectfully write, with the consent of the government, to request an approximately 60-day adjournment of Mr. Scher's sentencing, which is currently scheduled for June 12.

As Your Honor will recall from Mr. Scher's plea allocution, Mr. Scher used the proceeds from fraudulently-obtained EIDL loans to purchase certain investment properties. Mr. Scher is now in the process of selling many of those properties so as to use the proceeds to pay the Small Business Administration back in full. He has already sold some properties—and used the proceeds to pay back 7 of the 11 SBA loans—is in contract on 3 other properties, and is actively marketing one or two more properties, which will allow him to pay off the final 4 SBA loans in full. We believe that the requested adjournment will allow Mr. Scher sufficient time to complete this task.

In addition, given certain other obligations of counsel, we seek the additional time to allow counsel adequate time to prepare for Mr. Scher's sentencing.

This is Mr. Scher's first request for an adjournment of his sentencing. I have spoken to the assigned AUSA and he consents to this request.

Respectfully submitted,

Dated: May 15, 2023
New York, NY

/s/

By:

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Cc: AUSA James McMahon (via ECF)